## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

STEPHEN CALFO and JANEZ DEMSAR,

Individually and on Behalf of All Others

Similarly Situated,

Case No.: 1:15-cv-04010 (LGS)

Plaintiffs,:

ROBERT CASSERA, MICHAEL J. GOLDE,

v.

and JOHN P. MESSINA, SR.,

Defendants.:

# NOTICE OF UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Unopposed Motion for Preliminary Approval of Class Action Settlement, dated May 31, 2017, the accompanying Declaration of Justin S. Nematzadeh, dated May 31, 2017, and the exhibits attached thereto, and all prior papers and proceedings herein. Lead Plaintiffs Stephen Calfo and Janez Demsar, through their undersigned attorneys, will move this Court, before the Honorable Lorna G. Schofield, on a date and at such time as may be designated by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1106, New York, NY 10007, for an Order: (i) granting Preliminary Approval of the proposed Settlement; (ii) granting conditional certification of the Settlement Class, certifying Lead Plaintiffs as class representatives and appointing Lead Counsel as class counsel for purposes of the Settlement; (iii) granting approval of the form and manner of giving notice of the proposed Settlement to the Settlement Class Members; and (iv) setting a date for a Settlement Hearing and deadlines for the mailing and publication of the Notice, the filing of Settlement Class Member objections, the filing

of Settlement Class Member opt-out notices, the filing of Plaintiffs' motion for final approval of the Settlement, and the filing of Lead Counsel's application for attorneys' fees and expenses.

Dated: May 31, 2017 Respectfully submitted,

## POMERANTZ LLP

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